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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|----------------------------|
| 10/770,351 | 02/02/2004 | Quane Keenan JR. | 2003P01392US01 (1867-0042) |

Maginot, Moore & Beck
Bank One Tower
Suite 3000
111 Monument Circle
Indianapolis, IN 46204

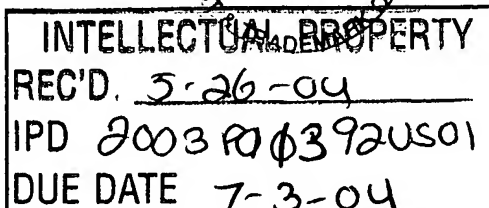
CONFIRMATION NO. 7660

FORMALITIES LETTER



OC000000012502576

Date Mailed: 05/03/2004



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$86 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$986 for a Large Entity

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- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

07/26/2004 MAHME1 00000082 192179 10770351

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5/7/04

- Total additional claim fee(s) for this application is \$86
 - \$86 for 1 independent claims over 3.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

Y. G.
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY

PATENT

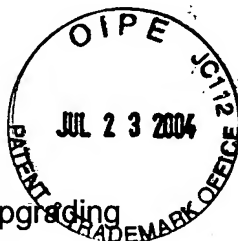
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Keenan, et al

Serial No.: 10/770,351

Filed: February 2, 2004

Title: Method and Device for Upgrading
A Building Control System



Examiner: Not Assigned

Group Art No.: Not Assigned

Docket No. 2003P01392US01

Certificate of Mailing Pursuant to 37 CFR § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to: The Assistant Commissioner for Patents, Alexandria, VA. 22313-1450

Date: 7/20/04

Nancy A. Demko

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

This is a response to the Notice to File Missing Parts of Application having a mailing date of May 3, 2004, and for which a period for response of the latter of two (2) months after the mailing date or two (2) months from the filing date was set to expire July 3, 2004.

Enclosed is the Declaration for the Patent Application. Also enclosed is a copy of the Notice to File Missing Parts of Application and a Petition and Fee for Extension of Time.

Please charge **Deposit Account No. 19-2179** for the surcharge of **\$130.00** in accordance with 37 CFR § 1.16(e). Triplicate copies of this Response are enclosed. Issuance of a formal Filing Receipt is respectfully solicited.

Respectfully submitted,

Michael J. Wallace
Reg. No. 44,486

Date:

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